HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25774 of 2006

Dated:13.12.2006

Between:

Tarimella Obulesu.

…Petitioner

and

The Mandal Revenue Officer and another.

…Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25774 of 2006

ORDER:

The petitioner's father, late Yerra Obaiah, was allegedly assigned land admeasuring Ac.0.42 cents in Survey No.115-1 situated at Gumparlapadu Village of A.S.Peta Mandal in Nellore District, by proceedings bearing No.F.Dis.2089/84, by the then Tahasildar. After the death of his father, the petitioner is statedly cultivating and enjoying the property. Having come to know that in January 2005 the land in Survey No.115-1 is assigned to the second respondent herein without canceling the patta granted to the petitioner's father, he straightaway approached this Court and challenged the patta granted to the second respondent.

This Court is not inclined to interfere in the matter as the petitioner has approached this Court after a period of about two years. Further as rightly pointed out by the learned Assistant Government Pleader for Revenue (Assignment), the petitioner can avail appropriate alternative remedy by way of an appeal before the jurisdictional Revenue Divisional Officer under para 15 of Board Standing Order 15. The petitioner is given liberty to approach the Revenue Divisional Officer and file an appeal within a period of ten days from today. As and when such appeal is filed, the Revenue Divisional Officer shall entertain the same, and pass appropriate orders after giving opportunity to the second respondent.

The Writ Petition, with the above observations, is accordingly

dismissed. No costs.

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(V.V.S.RAO, J)

13.12.2006

Note: Issue C.C today.

B/o.

vs